



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.50

AMARAVATI, TUESDAY, DECEMBER 20, 2022

G.2338

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A.P.STATE WAQF BOARD**

4th FLOOR, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.09 / M / KNL / 2018 / Z-IV.

Date: 20-10-2022.

KURNOOL DISTRICT - ALURU MANDAL - MOSQUE AND ASHOORKHANA ALONG WITH ITS ATTACHED PROPERTIES SITUATED AT MOLAGAVALLI VILLAGE - Sri MULLA KAREEM SAHEB, S/o. LATE SYED AMANULLAH SAHEB RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF ACT, 1995 IN PLACE OF Late SYED AMANULLAH SAHEB.

Read :1.Representation dated: 24-01-2018 of Sri Mulla Kareem Sab, R/o Molagavalli Village, Aluru Mandal, Kurnool District.
2.Memo No.09/M/KNL/2018/Z-IV, Dated: 22-02-2018 & 23-05-2018.
3.Report of the I.A. Waqfs, Kurnool District vide F.No.90/KNL/2014, dated:07-08-2018 & 10-08-2018.
4.Representation dated: 29-06-2021 & 15-07-2021 of Sri Mulla Kareem Sab along with orders of W.P.No.5130/2021, Dt:17-06-2021 passed by the Hon'ble High Court of A.P.
5.Govt., Memo No.MNW01-STMT0COUM/40/2021-IDM, dt.13-07-2021 of M.W. Department along with Hon'ble High Court orders passed in W.P.No.5130/2021, dated: 17-06-2021.
6.Board's Intimation No.09/M/KNL/2018/Z-IV, dated:06-08-2021.

7. Representation dated: 30-09-2021 of Sri Mulla Kareem Sab along with all its relevant documents.
8. Boards endorsement No.09/M/KNL/2018/Z-IV, Dt:-31-01-2022.
9. Report No.90/KNL/2014, dated: 27-04-2022 of the I.A. Waqfs, Kurnool District along with its relevant documents.
10. Board's Resolution No.460 of 2022, dated: 11-10-2022.
11. Orders of the Hon'ble Chairperson, APSWB, dated. 14-10-2022.

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ORDER:

The Waqfs institutions i.e., Ashoorkhana and Mosque known as Jamia Masjid are situated at Molagavalli Village, Alur Mandal of Kurnool District which are notified Waqf institutions and got published in the A.P. Gazette No.18-A, Part-II, dated: 02-05-1963 under Sl.No.1588 & 1589 respectively at Page No.20 & 21 under the Towliahship of six (6) individuals namely 1) Abdul Ghani Sahib, 2) Abdul Sattar Sahib, 3) Syed Khasim Sahib, 4) Syed Amin Saheb, 5) Abdul Khader Sahib & 6) Syed Amanulla Sahib and the Rule of succession to the Office of the Mutawalli of both Waqf institutions are Hereditary By custom.

The both Institutions are having attached Waqf lands in Molagavalli Village which are under cultivation and the details are as follows:

Gazette Sl. No.	Name of the Waqf & its object	Lands at Village	Sy.No.	Extent Ac – Cents
1588	Ashoorkhana The object of Waqf is celebration of Muharram	Molagavalli	669	16-60
1599	Mosque The object of Waqf is for the support of Mosque	Molagavalli	622	37-94
Total				Ac:54.54 cents

In the ref.1st read above Sri Mulla Kareem Saheb has submitted representation dated:-24-01-2018 along with connected documents with a request to appoint him as permanent Mutawalli to the subject institutions in place of his father late Syed Amanulla Saheb and this office issued instructions to the Inspector Auditor Waqfs, Adoni Division, Kurnool District with a request to furnish detail report of the subject institution along with death certificates of deceased Mutawallies, family member certificate, Legal hair certificate, NOC from the concerned family members in the ref.2nd read above.

The I.A.Waqfs, Kurnool District has submitted report in the ref. 3rd read above wherein enclosed only the copy of Affidavit, dated:-30-06-2018 of 1) Mulla Mahaboob, S/o. late M.Allah Bakash, 2) Mulla Hameed, S/o. Late Abdul Sattar, 3) Mulla Chan

Basha, S/o. Late Syed, 4) Mulla Shukoor, S/o Late Syed Ameer sahib & 5) Mulla Kareem Saheb, S/o Late Syed Amanulla Saheb and the affidavit was notarized through the Advocate and notary of Kurnool and requested to take necessary action.

In the reference 4th read above, representations were received from Sri Mulla Kareem Saheb along with copy of orders passed by the Hon'ble high Court of A.P., in W.P.No.5130 of 2021, dated:-17-06-2021 and requested to consider his representation, dt:-24-01-2018. As seen in the orders of the Hon'ble High Court of A.P., it is found that the 2nd respondent (i.e., Waqf Board) is directed to deal with the representation dated. 24-01-2018 filed by the petitioner, strictly in accordance with law and pass appropriate orders and communicate the same to the petitioner. The writ petitioner is accordingly disposed.

Further, the Government has also requested the Board in the reference 5th read above to take necessary action on orders passed in W.P.No.5130/2021, dated: 17-06-2021 by the Hon'ble High Court of A.P. Accordingly the Board has issued intimation to the applicant by rejecting his representation vide reference 6th read above.

In the reference 7th read above, a representation dated.30-09-2021 received along with death certificate of Moulali @ Syed Amanulla Saheb, dated:-24-12-1998, Family Member certificate of Moula Syed Amanullah Saheb & NOC and copies of Waqf Fund payments receipts, Dated.11-10-2011, Dated: 27-08-2012.

After receipt of above documents, this office has issued an endorsement, dated:-31-01-2022 vide reference 8th read above and informed to the petitioner to submit death certificates of late notified Muthawallies, family Member certificates and NOC from all the family members of notified Muthawallies duly notarized with notary advocate through I.A. Waqf, Kurnool District to proceed further course of action in the matter.

In the reference 9th read above, the I.A.Waqfs, Adoni Division, Kurnool District has submitted report on 27-04-2022 along with the copies of the documents earlier submitted by the applicant on dated.30-09-2021 and the I.A Waqf, Kurnool District has informed that the applicant Sri. Mulla Kareem Sab is the one of the legal heir of Syed Amanulla Saheb who is notified Muthwalli and the applicant has filed W.P.No.21328/2016 against Waqf Board and (9) others and the same has disposed and requested to take further action in the matter.

The subject matter was placed before the Board and the Board has passed resolution No.460 of 2022, dated.11-10-2022 in the ref.10th read above the matter of appointment of Mutawalli to Masjid and Ashoorkhana along with its attached properties

At Molagavalli is discussed and Board has resolved to recognize Sri.Mulla Kareem Saheb as Mutawalli in place of one of the notified Mutawalli late Syed Amanullah Saheb U/sec.42 of Waqf Act, 1995,

Accordingly, Sri.Mulla Kareem Saheb, S/o.late Syed Amanullah Saheb is hereby recognized as Mutawalli in place of one of the notified Mutawalli late Syed Amanullah Saheb to Mosque and Ashoorkhana and its attached properties situated at Molagavalli Village, Aluru Mandal of Kurnool District U/sec.42 of Waqf Act,1995 for managing the affairs of the subject Waqf Institution by following Waqf Act,1995.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / withhold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer (FAC),
A.P. State Waqf Board,
Vijayawada.

To

Sri.Mulla Kareem Saheb, S/o. late Syed Amanullah Saheb,
Mutawalli of Mosque and Ashoorkhana,
Molagavalli (V), Aluru Mandal, Kurnool District.

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